

ADMINISTRATIVE PANEL DECISION

DINH VAN v. Walley Fred
Case No. D2026-3781

1. The Parties

The Complainant is DINH VAN, France, represented by Cabinet Bouchara - Avocats, France.

The Respondent is Walley Fred, Germany.

2. The Domain Name and Registrar

The disputed domain name <dinhvsn.mom> is registered with Dynadot Inc (the “Registrar”).

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the “Center”) on August 24, 2026. On August 25, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On August 25, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Dynadot Privacy Service, Super Privacy Service LTD c/o Dynadot) and contact information in the Complaint. The Center sent an email communication to the Complainant on August 26, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on August 26, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the “Policy” or “UDRP”), the Rules for Uniform Domain Name Dispute Resolution Policy (the “Rules”), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the “Supplemental Rules”).

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on September 4, 2026. In accordance with the Rules, paragraph 5, the due date for Response was September 24, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent’s default on September 25, 2026.

The Center appointed Zeynep Yasaman as the sole panelist in this matter on September 29, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant, DINH VAN, is a French simplified joint-stock company (société par actions simplifiée), with its registered office in Paris, France. The Complainant is a jewelry house founded in 1965 and named after its founder, the French jeweler Jean Dinh Van. It specializes in the creation and distribution of jewelry.

The Complainant is the owner of DINH VAN trademark registrations in various jurisdictions, including the following:

- French trademark DINH VAN No. 1238775, filed on June 16, 1983, and duly renewed, in classes 3, 14, and 20;
- International trademark registration DINH VAN No. 419636, registered on December 17, 1975, and duly renewed, in classes 14 and 20;
- European Union Trade Mark DINH VAN No. 003584935, registered on April 28, 2006, and duly renewed, in classes 3, 14, and 25;
- United States trademark DINH VAN No. 2420828, registered on January 16, 2001, and duly renewed, in class 14;
- United Kingdom trademark DINH VAN No. UK00903584935, registered on April 28, 2006, and duly renewed, in classes 3, 14, and 25.

The Complainant is the owner of the domain name <dinhvan.com>, registered on May 11, 2000, which resolves to its official website, through which it presents and sells its DINH VAN jewelry.

The Complainant also maintains a presence on social media, including an Instagram account (@dinhvanparis) with approximately 104,000 followers and a Facebook page with approximately 53,000 followers.

The disputed domain name <dinhvan.mom> was registered on July 10, 2026. According to the evidence submitted by the Complainant, the disputed domain name resolved to a French-language website reproducing the look and feel of the Complainant's official website at "www.dinhvan.com". While the printout submitted as Annex 18 does not itself display the URL, the screenshot reproduced in the Complaint shows the address "https://dinhvan.mom" in the browser bar, and the hyperlinks embedded in the Annex 18 printout point to pages under the disputed domain name. The website prominently displayed the Complainant's DINH VAN logo, the same homepage visual and "Golden Summer" campaign featured on the Complainant's official website, and a selection of DINH VAN jewelry items, such as "Bracelet cordon Lion", "Bague chaîne Le Cube Diamant", and "Puces d'oreilles Menottes dinh van", with prices indicated in euros. The website further contained a section entitled "60 ans de liberté et de création" (60 years of freedom and creation), recounting that Jean Dinh Van founded his house in 1965, references to free delivery and returns and to secure payment, links inviting users to book an appointment and to find the nearest boutique, links to legal notices, general terms of sale, and a privacy policy, and the copyright notice "© DINH VAN".

The disputed domain name was registered through a privacy service. According to the registrant information disclosed by the Registrar, the Respondent is Walley Fred, purportedly located in Germany.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that it holds rights in the DINH VAN trademark, registered in numerous jurisdictions for decades, and that the disputed domain name is identical or confusingly similar to that trademark, as it reproduces the DINH VAN trademark in its entirety without any additional distinctive element. The Complainant submits that the generic Top-Level Domain ("gTLD") ".mom" is a standard registration requirement to be disregarded under the first element, and that, once disregarded, the disputed domain name consists exclusively of the term "dinhvan".

The Complainant further contends that the Respondent has no rights or legitimate interests in respect of the disputed domain name. The Respondent has no rights in the DINH VAN trademark, has never been authorized to use it, and has no relationship with the Complainant. The Complainant submits that the DINH VAN trademark, which derives from the family name of its founder, enjoys a worldwide reputation in the field of jewelry, as previously recognized by a UDRP panel, and that the Respondent could not have ignored it. According to the Complainant, the website to which the disputed domain name resolved reproduced the Complainant's trademark and substantially reproduced its official website, including its products, images, textual content, structure, typography, and overall visual presentation, and such impersonation cannot constitute a bona fide offering of goods or services or a legitimate noncommercial or fair use.

With respect to bad faith, the Complainant contends that the Respondent could not have been unaware of the Complainant, its official website, and its highly distinctive DINH VAN trademark when it registered the disputed domain name, and that a simple Internet search would have revealed the Complainant's rights. As to use, the Complainant submits that the disputed domain name resolved to a website reproducing the Complainant's official website, including its trademark, products, product images, prices, textual content, website structure, typography, and overall presentation, thereby creating the appearance of an official or authorized DINH VAN website. The Complainant argues that the fact that the purchasing functionality of the website does not operate does not alter this conclusion, as the impersonation of a complainant through a website purporting to be its official website constitutes bad faith regardless of the respondent's intention. According to the Complainant, the Respondent has thus intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's trademark within the meaning of paragraph 4(b)(iv) of the Policy. The Complainant finally relies on the Respondent's use of a privacy service to conceal its identity as an additional indication of bad faith.

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

Paragraph 4(a)(i) of the Policy requires the Complainant to show that the disputed domain name is identical or confusingly similar to a trademark or service mark in which the Complainant has rights.

Where the complainant holds a nationally or regionally registered trademark or service mark, this prima facie satisfies the threshold requirement of having trademark rights for purposes of standing to file a UDRP case (WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.2.1). In the present case, the Complainant has demonstrated that it owns registered DINH VAN trademarks in several jurisdictions, including the European Union Trade Mark No. 003584935, which is also protected in

Germany, where the Respondent is purportedly located. Accordingly, the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy.

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name ([WIPO Overview 3.1](#), section 1.7).

The second-level portion of the disputed domain name consists exclusively of the Complainant's DINH VAN trademark, reproduced in its entirety. The omission of the space between the words "dinh" and "van", is irrelevant for the purposes of the comparison. The applicable gTLD ".mom" is viewed as a standard registration requirement and as such is disregarded under the first element confusing similarity test, irrespective of the particular gTLD ([WIPO Overview 3.1](#), sections 1.11.1 and 1.11.2). Accordingly, the Panel finds that the disputed domain name is identical to the Complainant's trademark for the purposes of the Policy.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving that a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element ([WIPO Overview 3.1](#), section 2.1).

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Complainant has established that the Respondent is neither affiliated with the Complainant nor authorized or licensed by the Complainant to use the DINH VAN trademark or to register the disputed domain name. There is no evidence that the Respondent is commonly known by the disputed domain name; the registrant information disclosed by the Registrar does not resemble the disputed domain name in any manner. Nor is there any evidence in the record that the Respondent owns any trademark rights corresponding to "dinhvan" or "dinh van".

Moreover, the disputed domain name is identical to the Complainant's DINH VAN trademark. Panels have found that domain names identical to a complainant's trademark carry a high risk of implied affiliation ([WIPO Overview 3.1](#), section 2.5.1).

As to the use of the disputed domain name, the evidence shows that it resolved to a website reproducing the Complainant's DINH VAN logo, the visual identity and content of the Complainant's official website, including its homepage visual and then-current campaign, images and names of the Complainant's jewelry items with prices in euros, a narrative of the Complainant's history, and the copyright notice "© DINH VAN", without identifying its operator or disclosing any lack of relationship with the Complainant. In the Panel's view, such website was designed to pass itself off as the Complainant's official website. The Panel considers that such

use is intended to convey the misleading impression that the website is operated by, affiliated with, or authorized by the Complainant. Panels have held that the use of a domain name for illegal activity, here, impersonation/copycat site and passing off, can never confer rights or legitimate interests on a respondent ([WIPO Overview 3.1](#), section 2.13.1).

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the Complainant's DINH VAN trademark, which derives from the surname of the Complainant's founder, had been registered and used for several decades before the disputed domain name was registered on July 10, 2026. A prior UDRP panel has also recognized the Complainant's reputation in the field of jewelry (*SAS Dinh Van v. Aurelien Michel*, WIPO Case No. [D2021-3927](#)). The disputed domain name reproduces the DINH VAN trademark in its entirety, and differs from the Complainant's own domain name <dinhvan.com> only in its gTLD, ".mom" instead of ".com", which differ by a single letter. Moreover, the disputed domain name has been used for a website reproducing the Complainant's logo, product images, campaign visuals, and the history of its house. In these circumstances, the Panel finds that the Respondent was well aware of the Complainant and its DINH VAN trademark and deliberately targeted them when registering the disputed domain name ([WIPO Overview 3.1](#), sections 3.1.4 and 3.2.2). It has been established in previous UDRP decisions that the registration of a domain name incorporating a widely-recognized or well-known trademark by a third party who has no connection with the trademark is a clear indication of bad faith (see *Pepsico, Inc. v. Domain Admin*, WIPO Case No. [D2006-0435](#); *Veuve Clicquot Ponsardin, Maison Fondée en 1772 v. The Polygenix Group Co.*, WIPO Case No. [D2000-0163](#)). Accordingly, the Panel finds that the disputed domain name was registered in bad faith.

As to use, the evidence shows that the disputed domain name resolved to a website that mimicked the Complainant's official website and presented itself as an online store of the Complainant, displaying the Complainant's trademark, logo, products, and prices, together with references to delivery, secure payment, and the Complainant's boutiques, without any disclaimer of non-affiliation. Panels have found that redirecting a domain name to, or mimicking, the complainant's website, as well as seeking to cause confusion for the respondent's commercial benefit, even if unsuccessful, support a finding that a respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark ([WIPO Overview 3.1](#), section 3.1.4). The Panel considers that Internet users visiting the website at the disputed domain name, which is identical to the Complainant's trademark and differs only by a single letter in its gTLD from the Complainant's own domain name, would likely be misled into believing that the website is the Complainant's official website or is otherwise operated or authorized by the Complainant. The Panel therefore finds that, by using the disputed domain name, the Respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of its website, within the meaning of paragraph 4(b)(iv) of the Policy.

The Panel notes the Complainant's submission that the website's apparent purchasing functionality did not operate. This does not negate the misleading impression created by the website or preclude a finding of bad faith. Although the record does not establish that any purchases were completed, the website's imitation of the Complainant's official online store supports an inference of an intention to exploit confusion for commercial gain. In any event, the circumstances listed in paragraph 4(b) of the Policy are non-exhaustive, and the use of the disputed domain name to impersonate the Complainant independently supports a finding of bad faith (see *Molicopi, SL v. Withheld for Privacy Purposes, Privacy service provided by Withheld for Privacy ehf / Charl Lotter*, WIPO Case No. [D2021-1001](#)).

Panels have held that the use of a domain name for illegal activity, here, impersonation/copycat site and passing off, constitutes bad faith ([WIPO Overview 3.1](#), section 3.4). Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain name constitutes bad faith under the Policy.

Finally, the Panel notes that the Respondent used a privacy service in connection with the disputed domain name and failed to participate in these proceedings or to provide any explanation for its choice and use of the disputed domain name. While neither circumstance is, in itself, determinative, both provide additional support, in the circumstances of this case, for the Panel's finding of bad faith ([WIPO Overview 3.1](#), sections 3.6 and 4.3).

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <dinhvan.mom> be transferred to the Complainant.

/Zeynep Yasaman/

Zeynep Yasaman

Sole Panelist

Date: October 13, 2026